

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
In Admiralty
CIVIL ACTION NO. 4:17-cv-173-FL

BLUE WATER MARINE, INC. d/b/a, SEA
TOW CRYSTAL COAST,

Plaintiff

v.

PERCY BEVERLEY, *in personam*, and AN
UNNAMED 2004 MODEL, 28 FOOT
HYDRA-SPORTS VESSEL, *in rem*,

Defendants

**DEFAULT JUDGMENT and ORDER
CONFIRMING ARBITRATION
AWARD**

On the 13th day of December, 2017 the Plaintiff filed a Motion to Confirm the award of the arbitrator made in this matter on January 13, 2017. It appears to the satisfaction of the Court that the Court has jurisdiction over this matter and that the award of the arbitrator dated January 13, 2017 was properly made and that there is no basis for vacating, modifying or correcting that award. It also appears to the satisfaction of the Court that the arbitration award was intended to be final and binding on the parties, so that this Court has the power to confirm it under the provisions of Section 9 of the Federal Arbitration Act (9 U.S.C. §9).

It further appears to the Court that personal service was had on the Defendant, Percy Beverley, on the 31st day of December, 2017; that the Court has jurisdiction over the subject matter of the action; that the Defendant is not an infant, incompetent person or otherwise under disability; the Defendant has failed to plead or appear in the time allowed by law and that default of the Defendant, Percy Beverley, was entered by the Clerk on the 30th day of April, 2018; and that the Defendant is liable to the Plaintiff for damages as hereinafter ordered.

THEREFORE IT IS ORDERED that:

1. The award of the arbitrator in this matter, attached as Exhibit B to the Motion to

Confirm Arbitration Award, is CONFIRMED.

2. The Clerk will enter this Court's judgment on this award; and
3. Cost of suit, as taxed by the Clerk are awarded to the Plaintiff.

This the 7th day of June, 2018.

A handwritten signature in black ink, reading "Louise W. Flanagan". The signature is written in a cursive, flowing style.

Honorable Louise W. Flanagan
United States District Court Judge